

1 Trent W. Orr, State Bar No. 77656  
A. Yana Garcia, State Bar No. 282959  
2 EARTHJUSTICE  
50 California Street, Suite 500  
3 San Francisco, CA 94111  
torr@earthjustice.org  
4 ygarcia@earthjustice.org  
Tel: (415) 217-2000  
5 Fax: (415) 217-2040

6 *Attorneys for Protestant Restore the Delta*

7  
8 **BEFORE THE**  
9 **CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

10  
11  
12 HEARING IN THE MATTER OF  
13 CALIFORNIA DEPARTMENT OF WATER  
14 RESOURCES AND UNITED STATES  
15 BUREAU OF RECLAMATION REQUEST  
FOR A CHANGE IN POINT OF DIVERSION  
FOR CALIFORNIA WATERFIX

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
**PROTESTANT RESTORE THE DELTA'S  
RESPONSE TO THE DEPARTMENT OF  
WATER RESOURCES' OBJECTIONS TO  
RESTORE THE DELTA WRITTEN  
TESTIMONY AND EXHIBITS  
SUBMITTED BY PROTESTANTS IN  
SUPPORT OF 1B CASE IN CHIEF**

1 **I. INTRODUCTION**

2 Protestant Restore the Delta (RTD) filed its case in chief on September 1, 2016 primarily to  
3 address some of the myriad of environmental justice concerns that many Delta residents have with  
4 respect to the Petition before the State Water Resources Control Board (Water Board). Accordingly,  
5 much of RTD's testimony describes environmental justice issues throughout the Delta. RTD's case  
6 in chief also includes testimony that responds directly to the Water Board's specific inquiries, set  
7 forth in its October 30, 2015 Notice of Petition and Hearing and subsequent orders. Despite RTD's  
8 testimony addressing the very issues the Water Board has identified as appropriate for Part 1 of this  
9 hearing, Petitioner California Department of Water Resources (DWR) objects to substantial portions  
10 of RTD's witnesses' testimony. DWR objects to the statements of qualifications, testimony, and  
11 certain exhibits of Tim Stroshane, Barbara Barrigan-Parrilla, Michael Machado, and Esperanza  
12 Vielma on various grounds, including allegations of lack of relevance and lack of qualifications of  
13 witnesses and erroneously asserts that the testimony and evidence that RTD offers is outside the  
14 scope of either Part 1 or this hearing altogether.<sup>1</sup>

15 In making these arguments, DWR repeatedly asserts that RTD cannot raise issues that do not  
16 relate to a specific injury to a legal user of water, which DWR seeks to define narrowly. (See e.g.  
17 DWR's Objections to RTD's Written Testimony and Exhibits Submitted by Protestants in Support  
18 of Part 1B Case in Chief (DWR Objections) at pp. 3-4, 5.) As set forth in detail in RTD's Response  
19 to Evidentiary Objections Regarding Scope of Witness Testimony in Part 1B, these objections and  
20 DWR's attempt to narrowly define "legal users of water" in this proceeding are baseless. (See  
21 Protestant Restore the Delta's Response to Evidentiary Objections Regarding Scope of Witness  
22 Testimony in Part 1B (Sept. 30, 2016) at p. 2 [citing California WaterFix Project Pre-Hearing  
23 Conference Ruling (Feb. 11, 2016) at p. 10].)

24  
25 <sup>1</sup> DWR also objects to the testimony of RTD witnesses Gary Mulcahy, Roger Mammon, and Xiuly  
26 Lo and submissions related to these witnesses' testimony as outside the scope of Part 1. RTD  
27 responded to these objections in its September 30, 2016 Response to Evidentiary Objections  
28 Regarding Scope of Witness Testimony in Part 1B, and clarified in its October 24, 2016 Notice  
Regarding Availability of Witnesses that it has withdrawn these witnesses' testimony from Part 1 but  
reserves the right to resubmit all three witnesses' testimony in Part 2. RTD has also withdrawn  
exhibits 122 through 127, 133 through 137, and 141 in response to the same Rulings from the Water  
Board. DWR's objections to the inclusion of these exhibits are therefore no longer at issue.

1 DWR also asserts, based on the October 30, 2015 Hearing Notice, that, “if the protest is  
2 based on injury to a legal user of water, the protest must describe specifically what injury would  
3 result if the proposed changes requested in the Petition were approved” and provide certain  
4 information about the water right claimed to be injured. (DWR Objections at p. 5.) DWR then  
5 faults RTD’s testimony and supporting evidence for not meeting this “burden.” (*Id.*) Yet the  
6 “burden” referred to by DWR has no basis in the Water Code or elsewhere. In fact, Petitioners bear  
7 the burden in Part 1 to demonstrate that granting the Petition would *not* injure legal users of water.  
8 (See Water Code § 1702.)

9 DWR’s position utterly disregards the Hearing Officers’ ruling of February 11, 2016, that  
10 “Part 1 can address human uses that extend beyond the strict definition of legal users of water,  
11 including...environmental justice concerns.” (California WaterFix Project Pre-hearing Conference  
12 Ruling at p. 19 .) This ruling explicitly expanded the scope of Part 1 beyond a narrow focus on  
13 injury to legal users of water to encompass human uses that include environmental justice concerns.  
14 Responding to this ruling, RTD’s case in chief focuses on just such environmental justice concerns  
15 regarding human uses of water that extend beyond any strict definition of “legal users of water.”

16 RTD also offers extensive evidence in its case in chief that granting the Petition would create  
17 a new water right, an issue that the Water Board has explicitly identified to be addressed in Part 1 of  
18 this hearing. (Notice of Petition and Hearing (October 30, 2015) at p. 11.) DWR objects to this  
19 evidence as irrelevant, erroneously portraying it as “focused on compliance with the Delta Reform  
20 Act.” (DWR Objections at p. 3.)

21 DWR’s objections are meritless and should be overruled.

## 22 **II. EVIDENTIARY STANDARDS**

23 This hearing is governed by Chapter 4.5 of the Administrative Procedure Act (Gov. Code, §  
24 11400 et seq.); Water Board regulations (Cal. Code Regs., tit. 23, §§ 648-648.8); sections 801 to 805  
25 of the Evidence Code; and section 11513 of the Government Code. (Cal. Code Regs., tit. 23, §  
26 648(b).) The Water Board is not required to conduct adjudicative hearings according to the rules of  
27 evidence applicable in court proceedings. (Gov. Code, § 11513(c).) Instead, “[a]ny relevant  
28 evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed

1 to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory  
2 rule which might make improper the admission of evidence over objection in civil actions.” (*Id.*)  
3 “Hearsay evidence may be used for the purpose of supplementing or explaining other evidence....”  
4 (Gov. Code § 11513(d).) The Water Board follows these relaxed standards because the Hearing  
5 Officers’ expertise in water issues justifies its ability to make both legal and factual determinations.

6 As discussed below and in the attached table regarding DWR’s specific objections, RTD’s  
7 testimony and exhibits fall squarely within the scope of evidence to be admitted in this proceeding.

### 8 **III. RESPONSES TO BROAD OBJECTIONS BY DWR**

9 In the first seven pages of its objections to RTD’s case, DWR makes a series of broad  
10 objections to various aspects of RTD’s testimony and evidence. Before responding to DWR’s  
11 objections to specific testimony and evidence that RTD has filed for its case in chief (DWR  
12 Objections at pp. 9-33), we address several of these generic objections.

13 **Mischaracterization of presentation of evidence as “legal arguments”:** DWR broadly  
14 asserts that RTD’s testimony improperly makes legal arguments or consists of legal conclusions.  
15 This is a legal proceeding, in which the laws and regulations regarding change petitions, water  
16 rights, and the identification of environmental justice communities are highly relevant. RTD’s  
17 presentation of evidence to aid the Water Board in its interpretation of these laws is entirely  
18 appropriate. None of RTD’s witnesses claims to be a lawyer or to be offering a legal opinion.  
19 Rather, RTD’s witnesses offer evidence of the existence of various environmental justice  
20 communities, both rural and urban, within the legal Delta and of the impacts operation of the  
21 proposed California WaterFix facilities (Petition Facilities) would have on these communities. The  
22 laws defining environmental justice communities, citation to which DWR objects, provided  
23 important guidance to RTD in conducting extensive factual research to identify the existence and  
24 extent of these communities, communities which Petitioners have failed to identify, let alone  
25 adequately analyze the impacts that the Petition Facilities would have on these communities were the  
26 Petition to be granted.

27 RTD’s witness Tim Stroshane offers extensive evidence to support RTD’s position that  
28 granting the Petition would “in effect initiate a new water right,” an issue that the Water Board

1 explicitly identified as a focus for Part 1 of this hearing. (Notice of Petition and Hearing (October  
2 30, 2015) at p. 11.) Mr. Stroshane does not purport to offer authoritative legal opinions on these  
3 matters; he is not a lawyer. Rather, as a very experienced analyst of California water policies and  
4 management, he has marshaled evidence for this hearing that supports the conclusion that granting  
5 the Petition would create a new water right. This is relevant foundational evidence in support of  
6 RTD's protest, which expressly states RTD's position that the Petition would create a new water  
7 right. (RTD Protest, Attachment at p. 4.) RTD's counsel will offer legal arguments based on Mr.  
8 Stroshane's testimony and evidence at the appropriate juncture in this hearing.

9 DWR's repeated objections to RTD's offers of evidence to support the legal arguments its  
10 counsel will make based on this evidence are absurd. This hearing is a legal proceeding aimed at  
11 answering a series of legal questions. DWR's position would essentially bar witnesses for RTD (and  
12 any other protestant) from presenting factual evidence on the basis of which these questions can be  
13 resolved. Indeed, many of DWR's witnesses have presented evidence and offered opinions that the  
14 Petition Facilities would not injure any legal users of water; this evidence has not been rejected as  
15 improper legal argument.

16 **Argument that testimony regarding injury to farming practices, food availability for**  
17 **low-income communities, and water quality does not show injury:** DWR demonstrates its utter  
18 disregard for the Hearing Officers' ruling that human uses that extend beyond the strict definition of  
19 legal users of water, including environmental justice concerns, can be heard in Part 1 of this hearing.  
20 It maintains that the issue is limited to "whether there is a potential impact to human uses of water  
21 including associated legal users of water." (DWR Objections at p. 4.) RTD offers extensive  
22 evidence of the existence of many environmental justice communities throughout the legal Delta and  
23 of the adverse effects that injuries to farming, food availability, and water quality from operation of  
24 the Petition Facilities would cause these communities. Having determined that environmental  
25 justice concerns are appropriately raised in Part 1 of the hearing, the Hearing Officers should reject  
26 DWR's attempts to limit the hearing to a narrowly defined category of "legal users of water."

27 **Arguments that RTD cannot rely on public documents concerning WaterFix, its**  
28 **predecessor BDCP, environmental review documents regarding these, and public documents**

1 **regarding protection of the Delta:** Much of the limited and incomplete information that the public  
2 has been provided about the Delta tunnels project is contained in documents concerning the as-yet  
3 uncompleted environmental review of the project, comments on those documents, and documents  
4 regarding the project as it would affect the protection of the Delta. DWR sweepingly asserts that  
5 “there is no connection between the testimony [regarding such documents] and the need for these  
6 background documents to show an injury to any legal water user.” (DWR Objections at p. 5.)  
7 Putting aside DWR’s erroneous narrow focus on legal users of water, addressed above, to the extent  
8 that public documents provide evidence of injuries to environmental justice communities from the  
9 project or of the Petition’s creation of a new water right, they fall squarely within the scope of Part 1  
10 as defined by the Hearing Officers.<sup>2</sup>

11 **Assertion that RTD’s case is duplicative of City of Stockton’s case:** DWR asserts,  
12 without identifying any specifics, that RTD’s case is duplicative of the City of Stockton’s case and  
13 that such allegedly duplicative elements of its case should be excluded. (DWR Objections at p. 4.)  
14 The City of Stockton’s (City) case in chief concerns, among other matters, the effects the Petition  
15 would have on the City’s water supply and its administration of the City as a whole. RTD’s case  
16 focuses on identifying underprivileged and underserved environmental justice communities within  
17 the City and surrounding urbanized areas (as well as elsewhere in the Delta) – something that neither  
18 the City nor Petitioners have done . RTD’s case presents detailed evidence about these communities  
19 and the negative effects that the Petition Facilities would have on them. This evidence is not  
20 duplicative of the City’s case but falls squarely within the Hearing Officers’ ruling that  
21 environmental justice concerns are proper subjects of Part 1 of the hearing.

#### 22 **IV. CONCLUSION**


23 RTD’s responses to each of DWR’s objections to specific testimony, presentations, and  
24 exhibits are contained in the table attached to this document.

25  
26  
27 <sup>2</sup> DWR offers no authority for its repeated assertions that public comments on BDCP and WaterFix  
28 environmental documents cannot be offered into evidence without corresponding agency responses.  
(*See, e.g.*, DWR Objections at p. 20.) In the case of the revised DEIR/S, such responses have yet to  
be provided. DWR is free to offer any existing responses into evidence.

1 DWR's refusal to acknowledge the Hearing Officers' clear ruling that environmental justice  
2 concerns are to be heard in Part 1 of this hearing has led to baseless objections to RTD's evidence on  
3 precisely that subject. Further, DWR asks for exclusion of the evidence that RTD offers regarding  
4 the question of whether the grant of the Petition would entail a new water right. Again, the Hearing  
5 Notice expressly identified that issue as a topic to be addressed in Part 1. DWR's repeated attempts  
6 to prevent RTD, a grassroots organization representing the interests of Delta residents, including  
7 environmental justice communities, from offering evidence regarding the creation of a new water  
8 right and the significant injuries that the grant of the Petition would cause to environmental justice  
9 communities and other Delta residents must be rejected.

10  
11 Respectfully submitted,

12  
13 Dated: December 2, 2016

14   
15 Trent W. Orr  
16 A. Yana Garcia  
17 Earthjustice  
18 Attorneys for Restore the Delta  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**California WaterFix hearing**  
**California Department of Water Resources and U.S. Bureau of Reclamation**

**RESTORE THE DELTA'S RESPONSES TO DWR'S SPECIFIC OBJECTIONS**

Exh. No.	Exhibit Description	Response to Objection
RTD-1	Tim Stroshane Qualifications	Mr. Stroshane's statement of qualifications documents his expertise and experience regarding California water policy and management.
RTD-2	Barbara Barrigan-Parilla Qualifications	Ms. Barrigan-Parrilla's statement of qualifications documents her expertise and experience regarding environmental justice communities and issues.
RTD-3	Michael Machado Qualifications	Mr. Machado's statement of qualifications documents his expertise and experience regarding Delta agriculture and economic impacts.
RTD-4	Esperanza Vielma Qualifications	Ms. Vielma's statement of qualifications documents her expertise and experience regarding environmental justice communities and economic issues in the City of Stockton.
RTD-5	Gary Mulcahy Qualifications	Mr. Mulcahy's testimony has been withdrawn from Part 1 of this hearing.
RTD-6	Ixtzel Reynoso Qualifications	Ms. Reynoso's statement of qualifications documents her expertise and experience regarding environmental justice communities and issues in the Delta.
RTD-7	Roger Mammon Qualifications	Mr. Mammon's testimony has been withdrawn from Part 1 of this hearing.
RTD-8	Xuily Lo Qualifications	Mr. Lo's testimony has been withdrawn from Part 1 of this hearing.
RTD-9	Reserved	
RTD-10	Tim Stroshane written testimony	Mr. Stroshane's testimony addresses questions posed by the State Water Board in its Notice of Petition and Hearing, October 30, 2015, specifically Questions 1, 2a, 2b, and 2c relating to Part 1B of the Hearing.  To the extent Mr. Stroshane's testimony contained statements outside the scope of Part 1, the testimony has been revised pursuant to the Water Board's October 7, 2016 Ruling on Written Testimony Outside the Scope of Part 1 and Other Procedural Matters, or its November 23, 2016 Ruling Concerning Testimony of California Sportfishing Protection Alliance and other Part 1B Parties.



Exh. No.	Exhibit Description	Response to Objection
RTD-11	Tim Stroshane presentation slides	Mr. Stroshane's testimony addresses questions posed by the State Water Board in its Notice of Petition and Hearing, October 30, 2015, specifically Questions 1, 2a, 2b, and 2c relating to Part 1B of the Hearing.  To the extent Mr. Stroshane's testimony contained statements outside the scope of Part 1, the testimony has been revised pursuant to the Water Board's October 7, 2016 Ruling on Written Testimony Outside the Scope of Part 1 and Other Procedural Matters, or its November 23, 2016 Ruling Concerning Testimony of California Sportfishing Protection Alliance and other Part 1B Parties.
RTD-101	"Report on Feasibility of Feather River Project and Sacramento-San Joaquin Delta Diversion Projects Proposed as Features of the California Water Plan," May 1951.	Relevant to Question 1 of the Notice of Petition. Exhibit addresses nature of existing water rights in order to lay foundation for distinguishing existing from new diversions.
RTD-102	"Program for Financing and Constructing the Feather River Project as the Initial Unit of the California Water Plan," February 1955.	Relevant to Question 1 of the Notice of Petition. Exhibit addresses nature of existing water rights in order to lay foundation for distinguishing existing from new diversions.
RTD-103	Bulletin No. 76: Report to the California State Legislature on the Delta Water Facilities as an Integral Feature of the State Water Resources Development System, December 1960	Relevant to Question 1 of the Notice of Petition. Exhibit addresses nature of existing water rights in order to lay foundation for distinguishing existing from new diversions.
RTD-104	State Water Resources Control Board, Technical Report on the Scientific Basis for Alternative San Joaquin River Flow and Southern Delta Salinity Objectives, February 2012.	Documents array of water quality problems in western San Joaquin Valley and San Joaquin River. Relevant to answering Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-105	Eric A. Stene, Bureau of Reclamation, [History of] Trinity Division, Central Valley Project, 1996.	Documents completion of Central Valley Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-106	Eric A. Stene, Bureau of Reclamation, [History of] Shasta Division, Central Valley Project, 1996.	Documents completion of Central Valley Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.

Exh. No.	Exhibit Description	Response to Objection
RTD-107	Eric A. Stene, Bureau of Reclamation, [History of] Sacramento River Division, Central Valley Project, 1994.	Documents completion of Central Valley Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-108	William Joe Simonds, Bureau of Reclamation, [History of] The American River Division, Folsom and Sly Park Units, Auburn-Folsom South Unit, Central Valley Project, 1994.	Documents completion of Central Valley Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-109	Eric A. Stene, Bureau of Reclamation, [History of] Delta Division, Central Valley Project, 1994.	Documents completion of Central Valley Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-110	William Joe Simonds, Bureau of Reclamation, [History of] New Melones Unit, Central Valley Project, 1994.	Documents completion of Central Valley Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-111	Robert Autobee, Bureau of Reclamation, [History of] San Luis Unit, West San Joaquin Division, Central Valley Project, n.d.	Documents completion of Central Valley Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-112	Wyndham E. Whynot and William Joe Simonds, Bureau of Reclamation, [History of] San Felipe Division, Central Valley Project, 1994.	Documents completion of Central Valley Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-113	Robert Autobee, Bureau of Reclamation, [History of] Friant Division, Central Valley Project, 1994.	Documents completion of Central Valley Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-114	Summary of Central Valley Project Division Start and Completion Dates, with Exhibit Citations	Documents completion of Central Valley Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-115	California Department of Water Resources, California State Water Project Atlas, 1999.	Documents completion of State Water Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-116	Summary of State Water Project Division Start and Completion Dates, with Exhibit Citations	Documents completion of State Water Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.

Exh. No.	Exhibit Description	Response to Objection
RTD-117	California Department of Water Resources, Bulletin 132-10: Management of the California State Water Project, 2009.	Documents completion of State Water Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-118	California Department of Water Resources, Petition for Extension of Time with Supplement, December 31, 2009, 12 pages.	Documents completion of State Water Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-119	RTD spreadsheet summary and analysis of delivery data for Central Valley Project, 1985-2014 from U.S. Bureau of Reclamation Central Valley Operations web site.	Documents completion of State Water Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1. Stroshane Testimony, ¶45 and exhibit title identify source of data as Petitioner Bureau of Reclamation .
RTD-120	California Department of Water Resources, Memorandum Response to California Water Impact Network and AquAlliance's Formal Protest of the Department of Water Resources' Petition for Extension of Time Regarding the State Water Project Permitted Water Right Applications, February 10, 2011.	Documents completion of State Water Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-121	U.S. Bureau of Reclamation, Petition for Extension of Time, with Supplement, June 23, 2009; noticed by State Water Resources Control Board September 3, 2009.	Documents completion of State Water Project facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-122	U.S. Bureau of Reclamation, et al, Planning Agreement regarding the Bay Delta Conservation Plan, October 6, 2006.	Documents 2006 as date of BDCP formation and commitment to funding facilities, relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-123	Delta Stewardship Council, "Considering Delta Conveyance and Ecosystem Restoration without the Bay Delta Conservation Plan," staff report, June 25, 2015, Item 11.	Documents Delta Stewardship Council's interpretation of Delta Reform Act BDCP incorporation provisions as not applying to California WaterFix; relevant to whether Petition Facilities have legislative authorization, and consequently relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.

Exh. No.	Exhibit Description	Response to Objection
RTD-124	Delta Stewardship Council, Meeting Summary, June 25, 2015.	Documents Delta Stewardship Council's interpretation of Delta Reform Act BDCP incorporation provisions as not applying to California WaterFix; relevant to whether Petition Facilities have legislative authorization, and consequently relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-125	Delta Stewardship Council, "Conveyance, Storage, and Water Project Operations," staff report, July 23-24, 2015, Item 10.	Documents Delta Stewardship Council's interpretation of Delta Reform Act BDCP incorporation provisions as not applying to California WaterFix; relevant to whether Petition Facilities have legislative authorization, and consequently relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-126	Delta Stewardship Council, Meeting Summary, July 23-24, 2015.	Documents Delta Stewardship Council's interpretation of Delta Reform Act BDCP incorporation provisions as not applying to California WaterFix; relevant to whether Petition Facilities have legislative authorization, and consequently relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-127	Maven's Notebook, "The truth be told: The Delta, the tunnels, and the tributaries, part 1," October 28, 2015.	Documents a recent date on which Petition Facilities still did not have a financing plan; relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-128	U.S. Bureau of Reclamation Permit Face Amounts of Central Valley Project Water Rights Permits, from eWRIMS data, with Restore the Delta spreadsheet analysis.	Documents face value of U.S. Bureau of Reclamation's existing water rights for estimating cold stored water rights; relevant to whether Petition Facilities have water rights that are in "cold storage" as defined by Water Board, and consequently relevant to Notice of Petition and Hearing, October 30, 2015, Question 1. Relied upon in Stroshane testimony, ¶ 60.
RTD-129	California Department of Water Resources Face Amounts of State Water Project Water Rights Permits, from eWRIMS data, with Restore the Delta spreadsheet analysis.	Documents face value of California Department of Water Resources' existing water rights for estimating cold stored water rights; relevant to whether Petition Facilities have water rights that are in "cold storage" as defined by Water Board, and consequently relevant to Notice of Petition and Hearing, October 30, 2015, Question 1. Relied upon in Stroshane testimony, ¶ 59.
RTD-130	Environmental Water Caucus, Comments on Bay Delta Conservation Plan/"California WaterFix" Tunnels Project Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement, October 30, 2015.	Summarizes hydrodynamic effects of Petition Facilities relying on source data from SWRCB-3; relevant to Notice of Petition and Hearing, October 30, 2015, Question 2a and 2b. Relied upon in Stroshane testimony, ¶¶ 23, 24, 114, 116, 119, 121, 123, 124. No lead agency responses have been made.

Exh. No.	Exhibit Description	Response to Objection
RTD-131	Tim Stroshane, Testimony on Water Availability Analysis, prepared for California Water Impact Network, California Sportfishing Protection Alliance, and AquAlliance, submitted for Phase 2 of State Water Resources Control Board, Bay-Delta Water Quality Control Plan Update , October 26, 2012. Accessible at <a href="http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/docs/comments111312/tim_stroshane.pdf">www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/docs/comments111312/tim_stroshane.pdf</a> .	Relevant to RTD's answer to Notice of Petition and Hearing, October 30, 2015, Question 2c, concerning recommendations.
RTD-132	U.S. Bureau of Reclamation, Trinity River Record of Decision, 2000.	Relevant to RTD's answer to Notice of Petition and Hearing, October 30, 2015, Question 2c, concerning recommendations.
RTD-133	California Natural Resources Agency, California Water Action Plan, 2016 Update.	Documents a recent date on which Petition Facilities still did not have a financing plan; relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-134	California Department of Water Resources, Agreement in Principle for Water Supply Contract Extension, July 8, 2014 memorandum.	Documents a recent date on which Petition Facilities still did not have a financing plan; relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-135	City of Antioch letter to California Department of Water Resources, December 16, 2014, regarding DWR/SWP Contractors Contract Amendment Negotiations.	Documents a recent date on which Petition Facilities still did not have a financing plan; relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-136	Santa Barbara County letter to California Department of Water Resources, December 15, 2014, regarding Public Comment - Bay Delta Conservation Plan Negotiations.	Documents a recent date on which Petition Facilities still did not have a financing plan; relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.

Exh. No.	Exhibit Description	Response to Objection
RTD-137	California Department of Water Resources, preliminary official statement dated April 26, 2016, Central Valley Project Water System Revenue Bonds, Series AV.	Documents a recent date on which Petition Facilities still did not have a financing plan; relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-138	Central Valley Regional Water Quality Control Board, Salinity in the Central Valley: An Overview, May 2006.	Offers foundation for statement in RTD-10 about recirculation of salts in western San Joaquin Valley, relevant to answer Question 2b, Notice of Petition and Hearing, October 30, 2015.
RTD-139	March Fong Eu, California Secretary of State, Supplement to Statement of Vote, Primary Election, June 8, 1982.	Supports testimony that existing Hood diversion point is separate and distinct from diversion points proposed in Petition; relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-140	UC Hastings Scholarship Repository, 1982 Water Facilities including a Peripheral Canal.	Supports testimony that existing Hood diversion point is separate and distinct from diversion points proposed in Petition; relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-141	California Department of Water Resources web site, "State Water Project Amendments for the Proposed BDCP, Project Purpose," and "Announcements," accessed July 10, 2016.	Documents a recent date on which Petition Facilities still did not have a financing plan; relevant to Notice of Petition and Hearing, October 30, 2015, Question 1.
RTD-142	North State Water Alliance, Comments on the Bay Delta Conservation Plan and its Impacts on Regional Sustainability in the North State, July 28, 2014, plus exhibits and attachments.	Documents acknowledgement that reverse flows occur in north Delta/Lower Sacramento River as foundation for reverse flow testimony; relevant to Notice of Petition and Hearing, October 30, 2015, Question 2a.
RTD-143	East Bay MUD, Comments on the Bay Delta Conservation Plan Partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement, October 28, 2015.	Documents acknowledgement that reverse flows occur in north Delta/Lower Sacramento River as foundation for reverse flow testimony; relevant to Notice of Petition and Hearing, October 30, 2015, Question 2a.



Exh. No.	Exhibit Description	Response to Objection
RTD-144	East Bay MUD, Protest and Notice of Intent to Appear, January 4, 2016	Documents acknowledgement that reverse flows occur in north Delta/Lower Sacramento River as foundation for reverse flow testimony; relevant to Notice of Petition and Hearing, October 30, 2015, Question 2a.
RTD-145	Faunt, C.C., ed., 2009, Groundwater Availability of the Central Valley Aquifer, California: U.S. Geological Survey Professional Paper 1766, 225 p.	Documents connection of Delta surface and subsurface flows; relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-146	Northeastern San Joaquin County Groundwater Banking Authority, Eastern San Joaquin Groundwater Basin, Groundwater Management Plan, 2004.	Documents connection of Delta surface and subsurface flows; relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b. Relied upon in Stroshane testimony, ¶¶ 141-142.
RTD-147	San Joaquin County Flood Control and Water Conservation District, Water Management Plan, Phase 1 - Planning Analysis and Strategy, October 2001.	Documents connection of Delta surface and subsurface flows; relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b. Relied upon in Stroshane testimony, ¶ 142.
RTD-148	California Department of Water Resources, Quantity and Quality of Waters Applied to and Drained from the Delta Lowlands, Report No. 4, July 1956.	Documents connection of Delta surface and subsurface flows; relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b. Relied upon in Stroshane testimony, ¶ 144.
RTD-149	Mean monthly flows (cfs) for Model Scenarios for the Sacramento River Downstream of the North Delta Diversion Facility.	Documents modeled decreases in flows; relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-150	Mean monthly flows (cfs) for Model Scenarios for the Sacramento River at Rio Vista.	Documents modeled decreases in flows; relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-151	Reserved	
RTD-152	Screen shots of search results from DWR-117.	Relevant as evidence concerning environmental justice effects of Petition Facilities.

Exh. No.	Exhibit Description	Response to Objection
RTD-153	Contra Costa Water District, Comments on Bay Delta Conservation Plan and Draft EIR/EIS, July 25, 2014, including attachments.	Relevant to impacts of water quality effects of Petition Facilities on Delta environmental justice communities and Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-154	Contra Costa Water District, Partially Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS) for the Bay Delta Conservation Plan/WaterFix, October 30, 2015, including attachments.	Relevant to impacts of water quality effects of Petition Facilities on Delta environmental justice communities and Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-20	Barbara Barrigan-Parrilla written testimony	Ms. Barrigan-Parrilla's testimony is relevant to Notice of Petition and Hearing October 30, 2015, Questions 2a and 2b concerning harm to legal users of water, and relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-21	Barbara Barrigan-Parrilla presentation	Ms. Barrigan-Parrilla's testimony is relevant to Notice of Petition and Hearing October 30, 2015, Questions 2a and 2b concerning harm to legal users of water, and relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-201	Reserved	
RTD-202	Executive Order 12898 of February 11, 1994, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, Federal Register 59(32): February 16, 1994.	Provides foundation for legal and policy basis of environmental justice concerns. Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-203	U.S. Department of the Interior, Environmental Justice Strategic Plan, 2012-2017.	Provides foundation for legal and policy basis of environmental justice concerns. Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.



Exh. No.	Exhibit Description	Response to Objection
RTD-204	California Department of Justice, Fact Sheet: Environmental Justice at the Local and Regional Level, Legal Background, updated 7/10/2012.	Provides foundation for legal and policy basis of environmental justice concerns. Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-205	Environmental Justice Communities in the Delta - American Community Survey 2014 data on population by race and Hispanic or Latino Ethnicity (of any race).	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-206	Environmental Justice Communities in the Delta - American Community Survey 2014 Data on Percentage of Families and People Whose Income in the Past 12 Months is Below the Poverty Level	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-207	Environmental Justice Communities in the Delta - American Community Survey 2014 Data on Language Spoken at Home	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-208	Reserved	
RTD-209	State Water Resources Control Board, Beneficial Uses Development: Tribal Traditional and Cultural, Tribal Subsistence Fishing, and Subsistence Fishing Beneficial Uses, Stakeholder Outreach Document, June 2016	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-210	Reserved	

Exh. No.	Exhibit Description	Response to Objection
RTD-211	Economic Innovations Group, The 2016 Distressed Communities Index: An Analysis of Community Well-Being Across the United States. Accessible at <a href="http://eig.org/dci">http://eig.org/dci</a> , including mapped data on cities, counties, and zip codes.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-212	Summary of Delta Region Distressed Community Index Scores, with supporting data from Economic Innovations Group.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-213	Thomas H. Means, Salt Water Problem, San Francisco Bay and Delta of Sacramento and San Joaquin Rivers, April 1928.	Documents historical relationship of salinity concerns with Delta agriculture and industry; lays foundation relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b, and to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-214	Reserved	
RTD-215	W. Turrentine Jackson and Alan M. Paterson, The Sacramento-San Joaquin Delta: The Evolution and Implementation of Water Policy, an Historical Perspective, California Water Resources Center, Contribution No. 163, June 1977.	Documents historical relationship of salinity concerns with Delta agriculture and industry; lays foundation relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b, and to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-216	University of the Pacific Eberhardt School of Business, Center for Business and Policy Research, May 2016 California and Metro Forecast.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-217	City of Stockton Water Service Area Map	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1. Relied upon in Barrigan-Parrilla testimony, ¶ 101.

Exh. No.	Exhibit Description	Response to Objection
RTD-219	California Water Service Company, 2015 Urban Water Management Plan, Stockton District, June 2016.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1. Relied upon in Barrigan-Parrilla testimony, ¶¶ 101, 102, 104.
RTD-220	State Water Resources Control Board, Transmittal of Water Supply Permit to City of Stockton, July 21, 2015.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1. Relied upon in Strohane testimony, RTD-10, ¶ 127.
RTD-221	City of Stockton, 2014 Bay Delta Conservation Plan comments.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-222	City of Stockton, 2015 California WaterFix RDEIR comments.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-223	City of Stockton, Protest of California WaterFix Change Petition, January 5, 2016.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-224	City of Stockton, Municipal Utilities Department, May 2016 Water Rate Study.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1. Relied upon in Barrigan-Parrilla testimony, ¶ 117.
RTD-225	Stockton Retail Water Sources, 2015.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1. Relied upon in Barrigan-Parrilla testimony, ¶¶ 94, 102.
RTD-226	Projected Water Supplies for Stockton, 2020 to 2040.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1. Relied upon in Barrigan-Parrilla testimony, ¶ 94.
RTD-227	City of Stockton, Water Quality Report for 2015, June 2016.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1. Relied upon in Barrigan-Parrilla testimony, ¶¶ 106, 108, 109.
RTD-228	California Water Service Company, 2015 Water Quality Report.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1. Relied upon in Barrigan-Parrilla testimony, ¶¶ 106, 107, 109.

Exh. No.	Exhibit Description	Response to Objection
RTD-229	Methodology for Estimating Population of Delta Region Subsistence Anglers from Fishing License Data	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-230	Methodology for Estimating Delta Counties Subsistence Anglers from Angling Intensity (Hours) Data	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-231	F. Shilling, A. White, L. Lippert, and M. Lubell, 2010. Contaminated fish consumption in California's Central Valley Delta. Environmental Research 110(2010): 334-344.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-232	J.A. Davis, B.K. Greenfield, G. Ichikawa, and M. Stephenson, 2008. Mercury in sport fish from the Sacramento-San Joaquin Delta region, California, USA. Science of the Total Environment 391: 66-75.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-233	F. Shilling, 2003. Background Information for a Central Valley Fish Consumption Study	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-234	California Department of Fish and Game, Automated License Data System, Catalog Item Activity by Customer Geographical Area - Data Point (License Data by County) - 11/15/2013 to 12/31/2014.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-235	Silver, E., J. Kaslow, D. Lee, S. Lee, M.L. Tan, E. Weis, and A. Ujihara, 2007. Fish consumption and advisory awareness among low-income women in California's Sacramento-San Joaquin Delta.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.

Exh. No.	Exhibit Description	Response to Objection
RTD-236	Berg, M. and M. Sutula, 2015. Factors affecting the growth of cyanobacteria with special emphasis on the Sacramento-San Joaquin Delta, Southern California Coastal Water Research Project Technical Report 869, August 2015.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-237	P.W. Lehman, K. Marr, G.L. Boyer, S. Acuna, and S.J. The, 2013. Long-term trends and causal factors associated with Microcystis abundance and toxicity in San Francisco Estuary and implications for climate change impacts. Hydrobiologia 718: 141-158. DOI 10.1007/s10750-013-1612-8.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-238	United States Department of Agriculture, Economic Research Service, Food Access Maps and documentation, accessed July 24, 2016.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-239	United States Department of Agriculture, Economic Research Service, Food Access Summary Data for Delta County Census Tracts.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-240	Valley Vision, Inc., A Community Health Needs Assessment of San Joaquin County, conducted on behalf of San Joaquin County Community Health Assessment Collaborative, March 2013	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-241	BDCP Steering Committee Outreach Work Group to BDCP Steering Committee, regarding Public Outreach Process for BDCP (for Steering Committee Action), June 29, 2007.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.

Exh. No.	Exhibit Description	Response to Objection
RTD-242	BDCP Steering Committee Meeting, BDCP Delta Workshop Report, October 22, 2009.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.
RTD-243	Department of Water Resources, Delta Habitat Conservation and Conveyance Program, Environmental Justice Community Survey Summary Report, 1/25/2010, Standard Agreement No. 4600008104, Task Order No. 7, Subtask 7.2, Document Number 9AA-06-13-110-001.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1. Relied upon in Barrigan-Parrilla testimony, ¶¶ 24-26, 28-30, 32-24.
RTD-244	Summary Table of Environmental Justice Survey Respondents to DWR's 2010 environmental justice survey. Prepared by Restore the Delta.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1. Relied upon in Barrigan-Parrilla testimony, ¶¶ 24, 26, 29.
RTD-245	Joint letter from Restore the Delta, Environmental Justice Coalition for Water, Asian Pacific Self-Development and Residential Association, American Friends Service Committee (Proyecto Voz), Café Coop, Environmental Water Caucus, California Sportfishing Protection Alliance, California Water Impact Network, and Friends of the River, to Secretary John Laird, California Natural Resources Agency; Secretary Sally Jewell, US Department of the Interior; David Murillo, US Bureau of Reclamation; Mark Cowin, California Department of Water Resources, et al, May 28, 2014, concerning Request for Restarting and Extending Bay Delta Conservation Plan Comment Period Due to Lack of Meaningful Access for Limited English Speakers.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1.

Exh. No.	Exhibit Description	Response to Objection
RTD-246	San Joaquin County 2016 Community Health Needs Assessment.	Relevant to Hearing Officers' February 11, 2016 ruling that impacts to environmental justice concerns should be addressed in Part 1. Relied upon in Barrigan-Parrilla testimony, ¶ 93.
RTD-30	Michael Machado written testimony	Mr. Machado's testimony provides analytic evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-31	Michael Machado presentation slides	Provides analytic evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-301	Delta Protection Commission, Delta Economic Sustainability Plan, Public Draft, October 2011.	Provides analytic evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-302	Delta Science Program, Independent Review Panel, Delta Economic Sustainability Plan, December 2011.	Provides analytic evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-303	Letter of Michael Machado and Jeffrey Michael, December 2011, Response to Independent Review of Delta Economic Sustainability Plan	Provides analytic evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-304	Forecasted Crop Revenue and Job Loss Impacts from Increasing Delta Salinity, from Delta Economic Sustainability Plan; analysis by Restore the Delta.	Provides analytic evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-305	Delta Economic Sustainability Plan, Appendix G, Crops, Salinity, and Modeling Data (Chapter 7)	Provides analytic evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-40	Esperanza Vielma written testimony	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-41	Esperanza Vielma presentation slides	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-401	Declaration of Don Aguillard, Central Valley Neighborhood Harvest	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.



<b>Exh. No.</b>	<b>Exhibit Description</b>	<b>Response to Objection</b>
RTD-402	Declaration of Eric Firpo, In Season	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-403	Declaration of Paul Marsh, Mile Wine Company	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-404	Declaration of Subash Sil, TAPS Bar & Grill, Stockton	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-405	Declaration of Wes Rhea, Visit Stockton	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-406	PUENTES Business Plan, submitted to San Joaquin County Administrator Manuel Lopez, April 10, 2012.	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-407	Daniel Thigpen, "Stockton man grows, buys backyard produce for resale," Stockton Record, March 14, 2010.	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-408	Sonya Herrera, "PUENTES offers courses for urban farmers," The Delta Collegian, March 21, 2014.	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-409	"PUENTES: Giving people the means to grow health food," Stockton Record, December 13, 2015.	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-410	San Joaquin Certified Farmers' Markets web pages and regulations.	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-411	Visit Stockton web pages, "Farmers' Markets In and Around Stockton," as of July 26, 2016.	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-412	Black Urban Farmers Association Facebook pages, as of July 22, 2016.	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.



Exh. No.	Exhibit Description	Response to Objection
RTD-413	Almendra Carpizo, "Black Urban Farmers' Association," Stockton Record, June 20, 2015.	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-414	StartUp Town, "Dr. Gail Myers, Anthropologist & Urban Farmer," posted September 8, 2015.	Provides evidence relevant to Notice of Petition and Hearing, October 30, 2015, Question 2b.
RTD-60	Ixtzel Reynoso written testimony	Relevant to Hearing Officers' request in February 4, 2016 ruling to accept and consider environmental justice impact evidence.
RTD-61	Ixtzel Reynoso presentation slides	Relevant to Hearing Officers' request in February 4, 2016 ruling to accept and consider environmental justice impact evidence.

1 **STATEMENT OF SERVICE**

2 **CALIFORNIA WATERFIX PETITION HEARING**  
3 **Department of Water Resources and U.S. Bureau of Reclamation (Petitioners)**

4 I hereby certify that I have this day submitted to the State Water Resources Control Board  
5 and caused a true and correct copy of the following document(s):

6 **PROTESTANT RESTORE THE DELTA'S RESPONSE**  
7 **TO THE DEPARTMENT OF WATER RESOURCES' OBJECTIONS**  
8 **TO RESTORE THE DELTA WRITTEN TESTIMONY AND EXHIBITS**  
9 **SUBMITTED BY PROTESTANTS IN SUPPORT OF 1B CASE IN CHIEF**

10 to be served **by Electronic Mail** (email) upon the parties listed in Table 1 of the **Current Service**  
11 **List** for the California WaterFix Petition Hearing, dated November 15, 2016, posted by the State  
12 Water Resources Control Board at [http://www.waterboards.ca.gov/waterrights/water\\_issues/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/service_list.shtml)  
13 [programs/bay\\_delta/california\\_waterfix/service\\_list.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/service_list.shtml)

14 I certify that the foregoing is true and correct and that this document was executed on  
15 December 2, 2016.

16 Signature:  \_\_\_\_\_

17 Name: John W. Wall

18 Title: Litigation Assistant

19 Party/Affiliation: Protestant, Restore the Delta

20 Address: Earthjustice  
21 50 California Street, Suite 500  
22 San Francisco, CA 94103  
23  
24  
25  
26  
27  
28